

***UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK***

JUDGMENT IN A CIVIL CASE

PRINELL PAUL,
Plaintiff,

vs.

CASE NUMBER: 9:23-cv-1383 MAD/TWD

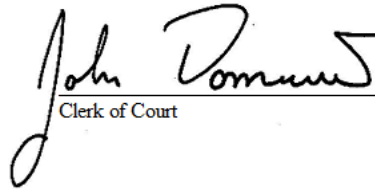
**TOBIAS SHELLEY;
RICHARD P. MIORI; and
N. HAWKER,**
Defendants.

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that plaintiff's IFP application (Dkt. No. 6) is **GRANTED**; and it is further **ORDERED** that the Clerk provide the Superintendent of the facility, designated by plaintiff as his current location, with a copy of plaintiff's Inmate Authorization, and notify the official that this action has been filed and that plaintiff is required to pay the Northern District of New York the statutory filing fee of \$350.00 in installments, over time, pursuant to 28 U.S.C. § 1915; and it is further **ORDERED** that the Clerk of the Court provide a copy of plaintiff's Inmate Authorization to the Financial Deputy of the Clerk's Office; and it is further **ORDERED** that, if plaintiff wishes to proceed with this action, he must file an amended complaint as set forth above within thirty (30) days from the date of Senior Judge Sharpe's December 18, 2023 Decision and Order; and it is further **ORDERED** that, if plaintiff timely files an amended complaint, this matter be returned to the Court for further review; and it is further **ORDERED** that, if plaintiff fails to timely file an amended complaint as directed above, the Clerk shall enter judgment indicating that this action is DISMISSED without prejudice without further order of this Court pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1) for failure to state a claim upon which relief may be granted and for failure to comply with this Decision and Order. In that event, the Clerk is directed to close this case; and it is further **ORDERED** that plaintiff's motion for counsel (Dkt. No. 4) is **DENIED with leave to renew**, all of the above pursuant to the Decision and Order of the Honorable Gary L. Sharpe, Senior U.S. District Judge, dated the 18th day of December, 2023.

IT IS FURTHER ORDERED and ADJUDGED that the Plaintiff has failed to file an amended complaint within thirty (30) days, the Clerk of the Court shall hereby enter judgment in Defendants' favor and close this case without further order from this Court, approved by the Honorable Judge Mae A. D'Agostino, dated the 28th day of February, 2024.

DATED: February 28, 2024



Handwritten signature of John Dominus, Clerk of Court.

s/Britney Norton
Deputy Clerk